

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554

Received & Inspected

DEC 28 2015

FCC Mail Room

In the Matter of )  
)  
Telecommunications Carriers Eligible to )  
Receive Universal Service Support )  
)  
Lifeline and Link Up Reform and Modernization )  
)  
Wireless Telecom Cooperative, Inc. )  
D/B/A/ theWirelessFreeway )

WC Docket No. 09-197

WC Docket No. 11-42

WIRELESS TELECOM COOPERATIVE, INC  
D/B/A/ theWIRELESSFREEWAY  
COMPLIANCE PLAN

Wireless Telecom Cooperative, Inc. dba theWirelessFreeway ("tWF"), through its undersigned officer, hereby respectfully submits and request expeditious treatment of its Compliance Plan outlining the measures it will take to implement the conditions imposed by the Commission in its *Lifeline Reform Order*,<sup>1</sup> to be associated with its Petition for designation as an eligible telecommunications carrier ("ETC") solely for the purpose of participating in the Lifeline program; and, tWF requests that the Commission forbear from applying the "own facilities" requirement pursuant to Section 214(e)<sup>2</sup> of the Communication act of 1934, as amended (the "Act"), and Section 54.201<sup>3</sup> of the rules and regulations of the Federal Communication Commission ("Commission").

<sup>1</sup> See *Lifeline and Link Up Reform and Modernization, Lifeline and Link Up, Federal-State Joint Board of Universal Service, Advancing Broadband Availability Through Digital Literacy Training*, WC Docket No. 11-42, WC Docket No. 03-109, CC Docket No. 96-45, WC Docket No. 12-23, Report and Order and Further Notice Of Proposed Rulemaking, FCC 12-11 (February 6, 2012) ("*Lifeline Reform Order*"). tWF herein submits the information required by the Compliance Plan Public Notice. See *Wireline Competition Bureau Provides Guidance for the Submission of Compliance Plans Pursuant to the Lifeline Reform Order*, WC Docket Nos. 09-197, 11-42, Public Notice, DA 12-314 (rel. February 29, 2012).

<sup>2</sup> 47 U.S.C. § 214(c).

<sup>3</sup> 47 C.F.R. § 54.201.

No. of Copies rec'd  
List ABCDE

0 + 3

tWF commends the Commission's commitment to a nationwide communications system that promotes safety and welfare of all Americans, including Lifeline customers. tWF will comply with 911/E911 requirements as described below and it is submitting this Compliance Plan in order to qualify for blanket forbearance from the facilities requirement of Section 214(e)(1)(A) of the Communications Act and participate as an eligible telecommunications carrier ("ETC") in the Lifeline program.<sup>4</sup> Specifically, the Commission determined that conditional forbearance from facilities requirement would apply if the carrier (1) complied with certain 911 requirements and (2) filed and received approval of a Compliance Plan providing specific information regarding the carrier's service offerings and outlining the measures the carrier will take to implement the obligations contained in the *Lifeline Reform Order* as well as further safeguards against waste, fraud and abuse as the Wireline Competition Bureau may deem necessary.<sup>5</sup>

To avail itself of the Commission's conditional grant of forbearance from the facilities requirement, tWF provides this Compliance Plan in accordance with the requirements of the *Lifeline Reform Order*<sup>6</sup> and the *Public Notice* issued by the Wireline Competition Bureau on February 29, 2012.<sup>7</sup> Specifically, tWF's Compliance Plan provides information regarding tWF's planned Lifeline service offerings and outlines the measures tWF will take to implement the obligation contained in the *Lifeline Reform Order* as well as

---

<sup>4</sup> See *Lifeline Reform Order*, ¶ 368. Although tWF qualifies for and seeks to avail itself of the Commission's grant of forbearance from the facilities requirement of Section 214(e) (1) (A) for purposes of the federal Lifeline program, tWF reserves the right to demonstrate to a state public services commission that it provides service using its own facilities in a state for purposes of state universal service funding under state program rules and requirements. tWF will follow the requirements of the Commission's Lifeline rules and this Compliance Plan in all states in which it provides Lifeline service and receives reimbursements from the federal Low-Income Fund, including in any state where the public utilities commission determines the tWF provides service using its own facilities for purposes of a state universal service program.

<sup>5</sup> *Lifeline Reform Order* ¶ 368.

<sup>6</sup> WC Docket Nos. 11-42, 03-109, 12-23 and CC Docket No. 96-45, *Lifeline and Link Up Reform and Modernization*, et al., FCC 12-11, Report and Order and Further Notice of Proposed Rulemaking, ¶ 368 ("*Lifeline Reform Order*").

<sup>7</sup> WC Docket Nos. 09-197, 11-42, *Wireline Competition Bureau Provides Guidance for the Submission of Compliance Plans Pursuant to the Lifeline Reform Order*, Public Notice, DA 12-314 (rel. February 29, 2012) ("*Public Notice*").

further safeguards against waste, fraud and abuse. To that end, tWF provides the information requested in the *Public Notice*, which indicated compliance plans should contain the following:

**1) Information about the carrier and the Lifeline plans it intends to offer:**

**a) names and identifiers used by the carrier, its holding company, operating company and all affiliates**

Wireless Telecom Cooperative, Inc., FCC Registration Number ("FRN"): **0024950222**; is a competitive local exchange carrier ("CLEC" **TFS2015-00666**) and wireless carrier ("WC" **TFS2015-0065**) in the State of Kentucky, providing high-quality, cost-effective integrated wireline and wireless communications services and related information technology services to residential and small medium-sized business ("SMB") customers. The Company offers a triple-play of products and services, and tailored solutions including local voice, long distance voice, broadband internet, IPTV, converged Internet Protocol ("IP") solutions, and in addition carrier WiFi incremental revenue opportunities including: premium service fees (for bandwidth and QoS commitments); roaming charges (for subscribers roaming abroad on non-partner networks); wholesale settlements (from roaming and/or offload agreements with other carriers); managed WiFi services (for hotels, hospitality, retailers, public venues, etc.); flash and pop-up coverage (for sporting events, concerts, political rallies, etc.); and, ancillary services (including advertising, analytics, value-added applications or sponsored data) – of which it derives the majority of its revenues from. tWF will not need to rely exclusively on Universal Service Fund ("USF") support to provide wireless Lifeline services.



Wireless Telecom Cooperative, Inc. dba theWirelessFreeway ("tWF") is a Kentucky non-profit cooperative corporation with offices at 2317 West Chestnut Street, Louisville, KY 40211; and, is being referred to as such in this Compliance Plan. The mission of tWF is to "connect the unconnected" underserved households to the Internet, to create a sustainable business that provides jobs and entrepreneurial opportunities for low-income neighborhood residents, and to provide a telecommunications infrastructure that promotes economic and social development.

tWF provides both wireline as well as wireless services. Specifically, the Compliance Plan: (a) describes the specific measures that tWF will take to implement the obligations contained in the *Lifeline Reform Order*, including the procedures tWF follows in enrolling a subscriber in Lifeline and submitting for reimbursement for that subscriber from the Low-Income Fund, materials related to initial and ongoing certifications; and, (b) provides a detailed description of how tWF offers Lifeline services, and a description of tWF's Lifeline service plan offerings.

**b) Access to 911 and E911 Services<sup>8</sup>**

Pursuant to the *Lifeline Reform Order*, forbearance is conditioned upon tWF: (1) providing its Lifeline subscribers with 911 and E911 access, regardless of activation status and availability of minutes; and (2) providing its Lifeline subscribers with E911-compliant handsets and replacing, at no charge to the subscriber, noncompliant handsets of Lifeline-eligible subscribers who obtain Lifeline-supported services.<sup>9</sup> tWF will comply with these conditions on the first day that it begins providing service.

---

<sup>8</sup> See Compliance Plan Public Notice at 3.

tWF will provide its Lifeline customers with access to 911 and E911 services immediately upon activation of service. The Commission and consumers are hereby assured that all tWF customers will have available access to emergency calling services at the time that Lifeline service is initiated, and that such 911 and E911 access will be available from tWF handsets, even if the account associated with the handset has no minutes remaining.

tWF will use AT&T Mobility, BVU OptiNet, Sprint Nextel, T-Mobile and Verizon Wireless as its underlying wireless/wireline providers. AT&T Mobility, BVU OptiNet, Sprint Nextel, T-Mobile and Verizon Wireless will route 911 calls from tWF's customers in the same manner as 911 calls from their own retail customers. To the extent that these underlying wireless/wireline network providers/carriers are certified in a given Public-Safety Answering Point ("PSAP") territory, this 911 capability will function the same for tWF. tWF will also enable 911 emergency calling services for all properly activated handsets regardless of whether the account associated with the handset is active or suspended. Finally, tWF will transmit all 911 calls initiated from any of its handsets even if the account associated with the handset has no remaining minutes.

**E911-Compliant Handsets.** tWF will ensure that all handsets used in connection with the Lifeline service offering are E911-compliant. All of tWF's phones will be E911-capable handsets. tWF will use phones from suppliers that have been through a stringent certification process to ensure that the handset models used meet all 911 and E911 requirements. As a result, any new customer that qualifies for and enrolls in the Lifeline program is assured of receiving a 911/E911-compliant handset as well, free of charge.

---

<sup>9</sup> See *Lifeline Reform Order*, ¶ 373.

**c) The Terms and Conditions of Each Lifeline Service Plan Offering, Including Rates, the Number of Minutes Provided, and Additional Charges, If Any, for Toll Calls**

At this time, tWF plans to offer the following prepaid wireless/wireline Lifeline plans

**at no charge** to an eligible customer:

**Basic Plans Prepaid Wireless Lifeline Plan**

Wireless handset (there are several handset options) – at least one free choice and the possibility of additional choices.<sup>10</sup> All plans will include nationwide domestic long-distance at no extra per-minute charge, as well as caller ID, voice mail, call waiting and three-way calling. tWF's coverage area will be defined by the signal contours of its wholesale CMRS providers and there will be no "roaming" or roaming charges.

- **125 anytime prepaid minutes per month**, with rollover, and with text messaging assessed at a rate of one (1) minute per text message for sending and one (1) minute per text message for receiving text message
- **250 anytime prepaid minutes per month**, without rollover, and with text messaging assessed at a rate of one (1) minute per text message for sending and one (1) minute per text message for receiving text message
- 911 and E911 access available will be free, regardless of service activation or availability of minutes, and will not count against the customer's airtime
- Option to purchase additional minutes anytime during the month that carry over for two (2) months
- Option for international calling with per-minute pricing based on the country to be called, which will be provided to the consumer when opting for this capability
- Directory assistance calls (411) will be free, however, they will count as airtime minutes of usage
- Lifeline customers can purchase additional bundles of minutes for as low as \$0.04/minute depending on the minute package purchased
- For those customers choosing to upgrade to a smartphone, data can be added to any phone plan starting at \$0.10 per megabyte – a price that can be reduced on a "per megabyte" basis when the customer purchases multiple megabytes of data

---

<sup>10</sup> tWF is still considering which handsets will be offered, but all handsets will be compliant with all applicable FCC requirements. Handsets will be offered for free in conjunction with the prepaid wireless Lifeline product. Based upon market availability and handset prices, the consumer may have a choice of handsets. tWF is continuing to evaluate the possibility of offering premium handsets at an additional cost, but a free handset will always be offered to every prepaid wireless Lifeline subscriber.



- Available minutes are nationwide, and there are no additional charges for toll calling

In addition to tWF's wireless services, tWF will offer a prepaid wireline Lifeline service in its study areas and throughout the coverage area of its underlying provider. tWF resells BVU OptiNet's service and offers a Lifeline discounted package, the "WiFi Connect" plan for (eligible consumers) that consist of a Basic Phone Plan at \$15.30 per month (with an initial \$15.00 activation fee)<sup>11</sup> and Basic Internet Service offered at \$34.65<sup>12</sup> per month, totaling \$49.95 per month.

**d) All Other Certifications Required Under Newly Amended Section 54.202 of the Commission's rules**

Section 54.202 of the Commission's rules requires a common carrier seeking ETC designation to: (1) certify that it will comply with the service requirements applicable to the support that it receives;<sup>13</sup> (2) submit a five-year plan for proposed improvements or upgrades to the applicant's network unless the applicant is seeking Lifeline support only;<sup>14</sup> (3) demonstrate its ability to remain functional in emergency situations, including a demonstration that it has a reasonable amount of back-up power to ensure functionality without an external power source, is able to route traffic around damaged facilities, and is capable of managing traffic spikes resulting from emergency situations;<sup>15</sup> (4) demonstrate that it will satisfy applicable consumer protection and service quality standards;<sup>16</sup> (5) demonstrate it is financially and technically capable of providing Lifeline

---

<sup>11</sup> Basic Phone Plan includes: unlimited local calls, unlimited long-distance domestic calls, v-mail, and Metaswitch Call Feature Server (CFS) features.

<sup>12</sup> Basic Internet Service includes: 30 Mbps download speeds, 5 Mbps upload speeds, 4 secure email accounts, 1 dynamic IP address, and 5Mb disc space (Many factors affect Internet speeds. *Speeds cannot be guaranteed*).

<sup>13</sup> 47 C.F.R. § 54.202(a) (1) (i).

<sup>14</sup> 47 C.F.R. § 54.202(a) (1) (ii).

<sup>15</sup> 47 C.F.R. § 54.202(a) (2).

<sup>16</sup> 47 C.F.R. § 54.202(a) (3).

service in compliance with the Commission's rules;<sup>17</sup> and, (6) submit information describing the terms and conditions of the voice telephony plans offered to Lifeline subscribers, including details on the number of minutes provided as part of the plan, additional charges for toll calls (if any), and rates for each such plan.<sup>18</sup>

tWF has addressed (5) and (6) above in (1) (b) and (1) (c), and the five-year plan required under (2) tWF will undertake a Lifeline modernization strategy that address Internet accessibility for low-income consumers, by adding a wireline broadband Internet as an option for participants' subsidy. While smartphones are becoming more prominent, for many cost is still an issue. For many people with uncertain income, a large cell phone bill represents a huge financial risk. The likelihood of smartphone ownership significantly increases with education and income level. However, despite the cost, African-Americans, Hispanics, young adults, low-income earners, and those without college degrees are likely to use mobile phones as their primary means of accessing the internet. Percentages of smartphone owners increase for those with higher incomes, at least some college experience and under the age of 55. However, it is a racially diverse group, with slightly higher percentages of minorities than whites. This looks very similar to the traditional socioeconomic groups already impacted by the Digital Divide, but things get different if you look at smartphone owners who use their smartphone as their primary Internet device. This group has higher percentages of minorities, those with less than a college degree, and is under the age of 30. In fact, out of the people who use smartphones to connect to the Internet, one-third use it as their primary Internet device.

---

<sup>17</sup> 47 C.F.R. § 54.202(a) (4).

<sup>18</sup> 47 C.F.R. § 54.202(a) (5).



Accessing the Internet from a smartphone is very different than accessing it from a desktop or laptop. Smartphone access is good for entertainment, social networking, and current awareness, but terrible for many forms of research and civic engagement. They do not allow the user to create and manage digital content at the same level as a traditional PC. Also, many websites don't have mobile versions or use code that does not function properly on a smartphone. The socioeconomic groups that have traditionally been the most affected by the digital divide are now able to access the internet, but are viewing a different type of internet than the rest of us.

For this reason, the digital divide is still defined by traditional socioeconomic groups. The marginalized, though they may be able to access a computer, do not have the same means of access or the same user experience as their wealthy, educated, non-minority peers. They are limited by their data plans, by the service hours of the computer lab, by their geographic location. Computer classes and training are a necessary and effective means of acquiring these skills, but research has shown that it is not as effective as simply being immersed in the Internet. As mass-media is disseminated with a social system, people with higher socioeconomic status tend to acquire this information at a faster rate than people with lower socioeconomic status. As a result, the gap in knowledge between these segments tends to increase. There are four specific areas tWF will address through its "WiFi Connect" wireline basic phone and internet Lifeline modernization strategy to address internet accessibility and inequality:

- I. Economic inequality - for example, the telephone is often seen as one of the most important components, because having access to a working telephone can lead to higher safety. If there were an emergency situation, one can easily call for help if there is a nearby phone. In another example, many work related

tasks are online, and people without access to the Internet may not be able to do the basic tasks of filling out job applications, or social services, etc.

- II. Social mobility - Computer and Internet use is regarded as being very important to development and success. However, some children are not getting as much technical education as others, because lower socioeconomic areas cannot afford internet connectivity. For this reason, some kids are being separated and not receiving the same chance as others to be successful.
- III. Democracy - Some people believe that eliminating the digital divide would help cities become healthier democracies. They argue that communities would become much more involved in events such as elections or decision making.
- IV. Economic growth - It is believed that low-income underserved communities could gain quick access to economic growth if the information infrastructure were to be developed and well used. By improving the latest technologies, these communities and industries within them are able to gain a competitive advantage.

By undertaking such a strategy, tWF certifies that it will comply with improvements and upgrades applicable to any such broadband modernization for Lifeline support.

With respect to (1) tWF also certifies that it will comply with the service requirements applicable to Lifeline support.

With respect to (3), tWF has the ability to remain functional in emergency situations. Its service providers AT&T Mobility, BVU OptiNet, Sprint Nextel, T-Mobile and Verizon Wireless has been offering telecommunications services for a number of years, and thus has significant experience with remaining functional in emergency situations. As a CLEC/WC, tWF is currently subject to the Commission's outage reporting rules, as well

as the back-up power and outage requirements in the states in which tWF will operate. tWF's MVNO contract arrangement with AT&T Mobility, BVU OptiNet, Sprint Nextel, T-Mobile and Verizon Wireless also imposes certain obligations on these service providers to ensure tWF's prepaid wireless Lifeline offering remains functional during emergency situations.<sup>19</sup> As large, regional, nationwide wireless/wireline carriers, these companies are subject to regulatory requirements to remain functional during emergency situations.<sup>20</sup> tWF's MVNO agreements with AT&T Mobility, BVU OptiNet, Sprint Nextel, T-Mobile and Verizon Wireless also contain certain quality of service guarantees.

With respect to (4), tWF will satisfy applicable consumer protection and service quality standards. As a CLEC/WC, tWF is currently subject to the consumer protection and service quality standards promulgated by the Commission and the states in which tWF plan to operate. tWF will apply these same practices to its prepaid wireless Lifeline service product, and will comply with the Cellular Telecommunications and Internet Association's Consumer Code for Wireless Service to satisfy this requirement as permitted by the Commission's rules.<sup>21</sup>

**2) A Detailed Explanation of How the Carrier Will Comply with the Commission's New Rules Relating to Determination of Subscriber eligibility for Lifeline Services, Including All of the Consumer Eligibility, Consumer Enrollment, and Re-certification Procedures, as Required by Section VI and Appendix C of the *Lifeline Reform Order*, and a Copy of the Carrier's Certification Form**

Set forth as **Attachment A** is an initial draft of tWF's prepaid Wireless/Wireline Lifeline

---

<sup>19</sup> While AT&T Mobility, BVU OptiNet, Sprint Nextel, T-Mobile and Verizon Wireless will provide the underlying wireless/wireline services to tWF, tWF will provide billing services associated with the prepaid wireless Lifeline product to the tWF end user customer. The tWF billing system will be served by two geographically separate cloud-based data centers for back-up redundancy.

<sup>20</sup> tWF is also familiar with the continuity and disaster response program these companies has implemented, which addresses the need to remain functional during emergency situations.

<sup>21</sup> 47 C.F.R. § 54.202(a) (3).



Service Application and Certification forms. tWF is continuing to refine these documents and will make any necessary changes to the extent the Commission or the Universal Service Administrative Company ("USAC") issue additional guidance on the language to be contained on enrollment and certification forms. tWF also confirms that it will comply with any future Commission or USAC guidance, directives, or rule changes regarding the Lifeline program.

### **Consumer Eligibility**

tWF will utilize available state-level databases to verify eligibility for its prepaid wireless/wireline Lifeline service offering as required under the Commission's rules. Where state-level database technology is not available, tWF will require potential consumers to provide their proof of eligibility through five primary input channels including: 1) Internet/Web Form Transaction; 2) Store and Field Form Transaction; 3) Toll-Free Facsimile Form Transaction; 4) USPS Mail Form Transaction and 5) Voice/Interactive Voice Response ("IVR") Form Transaction. New subscribers can be added to the Lifeline program through tWF's internal sales agents or through tWF-authorized third-party dealers. tWF's third-party dealers may include check cashing locations, grocery stores, computer stores, independent telephone retailers, storage facilities, churches, health/car/home/ insurance agencies which sells to predominantly low-income consumers, beauty/barber supply shops/stores, and pawn shops. Once wireless/wireline Lifeline service is implemented, tWF plans to add independent wireless/wireline retailers and kiosks operators/locations to its potential third-party dealer locations.

Regardless of which channel the consumer uses to apply for service, each consumer will receive the same disclosures, be required to supply the same information

and make the same certifications via tWF's standard application/certification form (discussed further below and provided as **Attachment A**).

### **Enrollment and Certification**

Once tWF determines a potential consumer is eligible to receive a Lifeline service product, tWF will proceed to enroll the consumer in its prepaid wireless/wireline Lifeline program and obtain the necessary certifications under the Commission's rules.

In the internal sales agent situation, the potential subscriber would provide its eligibility documentation to tWF and would complete the enrollment form in online format utilizing iPads, via third-party verification (or "TPV"<sup>22</sup>); via their electronic signature and this information will be uploaded to tWF corporate office for processing. This data will be routed through a common validation backbone that will perform five relevant verification checks in real-time before approving qualifying subscribers for Lifeline service. These five check are 1) Service Availability Verification (validates the availability of service to qualifying subscribers through a database of approved tWF service areas); 2) Service Address Verification (validates the service address of qualifying subscribers through USPS and/or Melissa databases); 3) Non-Duplicate Subscriber Verification (confirms internal non-duplicate status of qualifying subscribers by a combination of name, address, telephone number, date of birth and last four digits of Social Security number); 4) Identity Verification (validates the identity of qualifying subscribers through viewing government-issued identification or Lexis Nexis); and, 5) Eligibility Verification (where available, validates the eligibility of qualifying subscribers through state-specific and program-specific Internet databases). In the event that such web services are unavailable or the

---

<sup>22</sup> The Commission has recognized TPV is an acceptable method for obtaining such information. See *Lifeline Reform Order*, ¶ 169.

qualifying subscriber shows proof of eligibility via physical documentation, tWF will note the type of documentation presented; the timestamp of presentation; the tWF employee, agent or representative ("tWF personnel") to whom the documentation was presented; and the deletion timestamp (for documentation that was physically received by tWF). When available, tWF will also validate the eligibility and non-duplication of qualifying subscribers through the national database. tWF will also require the consumer to indicate whether the household is shared, which would trigger the use of the Lifeline Household Worksheet developed by USAC (included as part of tWF's enrollment and certification). tWF will also confirm that the consumer understands its information may be shared with USAC as necessary under the Commission's rules to ensure there is no duplication of Lifeline benefits.

Next, tWF's personnel, agents or representative will utilize its TPV script or the paper form (or online portal once developed) to address each of the certificates required under the Commission's rules. The certifications will be addressed through individual questions, each to be answered by the customer before moving any further in the TPV script<sup>23</sup> or each to be initiated by the consumer on the paper form (or each to be individually acknowledged in an online format):

- Certifying, under penalty of perjury, that the consumer meets the Lifeline eligibility requirements because either the household receives benefits from a qualifying state or federal assistance program (and naming the program) or has income at or below 135% of the Federal Poverty Guidelines;

---

<sup>23</sup> The consumer will be required to answer "Yes" to these questions on the recorded TPV to enroll in tWF's prepaid wireless Lifeline program. TPV recordings are searchable by confirmation number and primary telephone number assigned to the consumer. TPV confirmation numbers will be stored in the order and account notes associated with the consumer.



- Certifying, under penalty of perjury, that the consumer has presented documentation to tWF that accurately represents the consumer's household income or participation in the program;
- Certifying, under penalty of perjury, that the consumer lives in and at the address stated in the application;
- Certifying, under penalty of perjury, that the consumer will notify tWF within 30 days when it is no longer eligible for Lifeline service, whether because the consumer no longer qualifies, it has another Lifeline supported service, or for any other reason, and confirming that the consumer understands failure to so notify tWF may subject it to penalties;
- Certifying, under penalty of perjury, that the information the consumer is providing to tWF is true and correct to the best of its knowledge;
- Certifying, under penalty of perjury, that the consumer understands that providing false or fraudulent information to receive Lifeline benefits is punishable by law;
- Certifying, under penalty of perjury, that the consumer understands it will be required to annually re-certify its continued eligibility for Lifeline at any time and that failure to do so will result in the termination of the consumer's Lifeline benefits.
- Certifying, under penalty of perjury, that the consumer will provide its new address to tWF within 30 days of moving;

- Certifying, under penalty of perjury, that the consumer will be required to verify its temporary address every 90 days if the subscriber provides a temporary residential address when initially enrolling;
- Certifying, under penalty of perjury, that the subscriber's household is receiving no more than one Lifeline-supported service, that the consumer receives Lifeline-supported service only from tWF, and to the best of the consumer's knowledge no one else in the subscriber's household is receiving a Lifeline-supported service;
- Certifying, under penalty of perjury, that the consumer understands that Lifeline is a government benefit and consumers who willfully make false statements in order to obtain the benefit can be punished by fine or imprisonment or can be barred from the program;
- Certifying, under penalty of perjury, that the consumer understands that Lifeline is a non-transferrable benefit, and that an eligible Lifeline subscriber may not transfer its phone service to anyone else, not even someone who is also eligible;
- Certifying, under penalty of perjury, that the consumer understands that non-usage of its prepaid wireless Lifeline service from tWF for any consecutive 60-day period of time will result in de-enrollment and deactivation of the service; and
- Certifying, under penalty of perjury, that the consumer understands that (a) Lifeline is a federal benefit; (b) Lifeline service is available for only one line per household; (c) a household is defined for purposes of the Lifeline program as any individual or group of individuals who live together at the same address and

share income and expenses; (d) a household is not permitted to receive Lifeline benefits from multiple providers; and (e) violation of the one-per-household rule constitutes a violation of Commission rules and will result in the consumer's de-enrollment from the program and could result in criminal prosecution by the United States government.

tWF will ensure its TPV script and paper documentation is written in clear, easily understood language. tWF will retain its TPV recordings and copies of its paper enrollment/certification documentation for at least five (5) years.

In addition, the consumer will be required to authorize tWF to access any records required to verify the consumer's statements on the enrollment/certification form and to confirm the consumer's eligibility for the tWF Lifeline credit. The consumer must also authorize tWF to release any records required for the administration of the tWF Lifeline credit program, including to USAC to be used in a Lifeline program database.<sup>24</sup>

After all of the above checks and balances and documentations requirements are complete, a handset would then be shipped to the consumer via overnight delivery to the address listed on the enrollment form. For wireline services, tWF will provide a VoIP client for Smart Phones wireless phone, and a Home Consumer Premises Equipment ("CPE" e.g. Mikrotik Router). These hardware offerings will be provided and installed at no costs to Lifeline consumers. tWF will require the consumer to take affirmative steps to "personally activate" the service, either by requiring the consumer to use the handset to activate the Lifeline service or to complete an outgoing call.<sup>25</sup> If service is not initiated, tWF will not

---

<sup>24</sup> See Section 54.404(b) (9). The enrollment/certification form will also describe the information that will be transmitted, that the information is being transmitted to USAC to ensure proper administration of the Lifeline program and that failure to provide consent will result in the consumer being denied the Lifeline service.

<sup>25</sup> *Lifeline Reform Order*, ¶ 260.



consider the consumer to be enrolled in the Lifeline program and tWF will not request Lifeline reimbursement until the subscriber personally activates its service.<sup>26</sup>

To ensure compliance with the Commission's one-per-household and other Lifeline eligibility requirements, tWF train all of its employees as well as its third-party dealers and have their employees, agents representatives, participate in quarterly webinars to receive training (and re-training) on Commission-compliance requirements for Lifeline services ensuring all relevant verification checks are made before approving qualified subscribers for lifeline services. tWF will also supply each third-party dealer with copies of written materials providing detailed information on the Commission's Lifeline compliance requirements. tWF will then require the third-party dealer to sign documentation certifying that all employees selling tWF Lifeline services have read the Lifeline compliance requirements provided by tWF, understands the Lifeline compliance requirements, and will comply with the Lifeline compliance requirements. tWF will conduct periodic audits and random checks of its third-party dealers to ensure compliance with the Commission's rules.

If tWF cannot determine a prospective subscriber's eligibility for Lifeline by accessing income databases or program eligibility databases, tWF personnel, agents, representatives will review documentation establishing eligibility pursuant to the Lifeline rules.<sup>27</sup> All personnel, agents, representatives who interact with prospective consumers will be trained to assist Lifeline applicants in determining whether they are eligible to participate based on the federal and state-specific income-based and/or

---

<sup>26</sup> *Lifeline Reform Order*, ¶ 257.

<sup>27</sup> *See Lifeline Reform Order*, ¶ 100; Section 54.410(b) (1) (i) (B), 54.410(c) (1) (i) (B).

program-based criteria. These personnel, agents, representatives will be trained to answer questions about Lifeline eligibility, and will review required documentation to determine whether it satisfies the *Lifeline Reform Order* and state-specific eligibility requirements using state-specific checklists. Detailed information regarding the documents provided by the prospective consumer and tWF's review of the documentation will be included in the consumer's account information and kept in tWF's internal recordkeeping system. Any actual documentation provided by the prospective consumer will be destroyed or returned to the consumer upon request.<sup>28</sup>

#### **Annual Verification Procedures**

tWF will annually re-certify all subscribers by querying the appropriate eligibility databases or obtaining a signed certification from each subscriber consistent with the certification requirements above and new Section 54.410(d) of the Commission's rules. Any customer that do not re-certify within the 30-day window will be de-enrolled from tWF's prepaid wireless Lifeline service within five (5) business days after the expiration of the subscriber's time to respond to tWF's re-certification efforts as required by Commission's rules, which is explained in more detail below.<sup>29</sup>

#### **Marketing and Disclosure**

tWF will publicize the availability of its prepaid and postpaid wireless/wireline Lifeline service offerings in a manner reasonably designed to reach those likely to qualify for the service.<sup>30</sup> tWF will utilize the Commission's current outreach guidelines for advertising its prepaid and postpaid wireless/wireline Lifeline service offering. Specifically, tWF will utilize outreach materials and methods designed to reach

---

<sup>28</sup> *Lifeline Reform Order*, ¶ 101.

<sup>29</sup> 47 C.F.R. § 54.405(c) (4).

<sup>30</sup> 47 C.F.R. § 54.405(b).

households that currently do not have telephone and/or internet service, will develop advertising materials for non-English speaking populations within its service area, and will coordinate its outreach efforts with relevant government agencies, churches, community action agencies, associations, networks and community-based non-profits. tWF will build strong relationships with these entities – and formulate marketing programs that support the missions of these entities. tWF will raise awareness of its Lifeline services through the inclusion of tWF Lifeline information in resource guides and other support materials (online and in printed materials issued by the agency) that are provided to Lifeline-eligible prospective consumers. tWF will also pursue referral arrangements and partnerships where a non-profit non-governmental agency can specifically refer Lifeline-eligible consumers directly to tWF in exchange for minimal compensation or other remuneration to the agency for the referral. tWF will also raise awareness of its Lifeline services through sponsoring events held by these entities. As required under the *Lifeline Reform Order*, tWF will ensure the Commission-required disclosures, any DBA names it uses, and details of the prepaid and postpaid wireless/wireline Lifeline service offerings are contained in all marketing materials.<sup>31</sup>

Within the deadline provided in the *Lifeline Reform Order*, tWF will include the following information regarding its Lifeline service offering on all marketing materials describing: (1) it is a Lifeline service; (2) Lifeline is a government assistance program; (3) the service is non-transferrable; (4) only eligible consumers may enroll in the program; (5) the program is limited to one discount per household; (6) that documentation is necessary for enrollment; (7) tWF's name (the ETC); and, (8) tWF's enrollment/certification form will state that consumers who willfully make a false statement in order to obtain the Lifeline

---

<sup>31</sup> *Lifeline Reform Order*, ¶¶ 274-282.



benefit can be punished by fine or imprisonment or can be barred from the program.<sup>32</sup>

These statements will be included in all print, audio, video and web materials (including social networking media) used to describe or enroll customers in tWF's Lifeline service offering, as well as tWF's enrollment/certification forms.<sup>33</sup> This shall include but not limited to, tWF's website, outdoor signage, targeted direct mail, advertisements in daily and weekly print periodicals, event sponsorship, bus advertising, radio advertising, and online search engines.<sup>34</sup> tWF will also engage in outbound calling campaigns (consistent with applicable telemarketing regulations). tWF will obtain marketing calling lists through various marketing activities, which may include, but not limited to interest forms completed by prospective consumers who have attended a marketing event and have provided their phone number indicating their interest in being contacted about the program. tWF will also consider purchasing prospective customer lists for outbound calling campaigns once the company has determined such lists effectively target potential Lifeline consumers and adhere to all applicable telemarketing regulations. Once tWF has a list of prospective consumers to contact, tWF marketing personnel, agents or representatives will deliver a marketing message that accurately and in detail describes the benefits of the Lifeline program, how the Lifeline program works, and eligibility requirements to qualify as a Lifeline consumer, including a determination of whether the prospective consumer appears to initially qualify, the outbound marketing call will initiate the completion of the tWF Lifeline Enrollment Form and receipt of program eligibility documents to be reviewed by tWF marketing personnel, agents or representatives.

---

<sup>32</sup> See *Lifeline Reform Order*, ¶ 275; Section 54.405(c).

<sup>33</sup> *Id.*

<sup>34</sup> *Id.*

### **Additional Measures to Prevent Waste, Fraud and Abuse**

Prior to enrolling a Lifeline consumer, tWF will take two steps to prevent duplicate Lifeline subsidies within its subscriber base. (1) tWF will review its service records to ensure the potential consumer is not currently receiving a Lifeline service from tWF; (2) tWF will utilize available state-level databases and national database to be created to ensure the potential consumer is not currently receiving a Lifeline service from any other carrier. tWF will promptly investigate any notification it receives from a state, the Commission, or USAC that one of its Lifeline consumers is improperly receiving service. tWF will also update any required databases within one (1) business day of de-enrolling a consumer.<sup>35</sup> In addition to checking the databases when they become available, tWF personnel, agents or representatives will emphasize the "one Lifeline phone per household" restriction in their direct sales contacts with potential consumers. Training materials will include a discussion of the limitation to one Lifeline phone per household, and the need to ensure that the consumer is informed of this restriction. All tWF personnel, agents or representatives interacting with existing and potential Lifeline consumers will undergo training regarding the eligibility and certification requirements in the *Lifeline Reform Order* and this Compliance Plan.

For example, tWF personnel, agents or representatives that will perform customer enrollment are trained on how to enter the consumer's information via iPads, tWF's office support systems, to read aloud the appropriate disclosures to prospective consumers such as the "one-per-household" and activation and non-usage requirement disclosures, request additional documentation proving identity and address verification and what constitutes proof of eligibility, among other important practices.

---

<sup>35</sup> *Lifeline Reform Order*, ¶ 257.

tWF personnel, agents or representatives will also be trained to display tWF approved marketing materials and banners and wear tWF branded clothing with name badges and pictures when performing in-person enrollment. tWF will have a designated employee compliance training manager who is accessible to tWF personnel, agents or representatives for questions after training. tWF personnel, agents or representatives are also trained what to do in the event they suspect fraud or any violation. tWF has a whistleblower policy for tWF personnel, agents or representatives to immediately report any violation of compliance policies and procedures. If tWF personnel, agents or representatives violates any of tWF's or program's compliance policies and procedures, the terms and conditions of his or her employee or vendor agreement, or engages in any illegal, fraudulent, deceptive, or unethical business conduct, tWF will invoke immediate disciplinary action and may contact appropriate authorities.

**De-Enrollment for Failure to Re-Certify**

tWF will check its internal databases and available state-level or federal databases as part of its annual re-certification process. tWF will issue a letter separate from the invoice to all subscribers, requesting them to recertify and noticing the subscriber that failure to respond within 30 days will trigger de-enrollment. The subscriber will be given the option to mail, email or fax back the re-certification form. The subscriber will also be given the option to complete their recertification form online, over the phone with TPV, or by mail. If the subscriber fails to respond with their completed form and documentation of eligibility by the 30<sup>th</sup> day of the notice period, tWF will de-enroll the consumer by taking the following steps: (a) tWF will place a Local Service Request ("LSR") with the supporting local exchange carrier to remove the Lifeline Universal Service Ordering Code ("USOC") to prevent further credits; (b) remove the credit supplied by tWF to the end user from the



billing system; and (c) the credit may only be reapplied if the consumer goes through the certification process again.

#### **De-Enrollment for Duplicative Support**

tWF understands that duplicative claims are wasteful and burden the fund, and will take all necessary steps to swiftly de-enroll consumers found to be receiving duplicative federal Lifeline discounts. Upon notification from the Commission, state, or USAC that a subscriber is receiving Lifeline service from another carrier, or more than one member of a household is receiving Lifeline service, tWF will de-enroll the subscriber within five business days.<sup>36</sup> To the extent de-enrollment is necessary due to duplicative support, tWF will take the following steps to de-enroll a consumer: (1) tWF will immediately place a LSR with the supporting local exchange carrier to remove the Lifeline USOC to prevent further credits; (2) remove the credit supplied by tWF to the end user from the billing system; and (3) have a company policy in place that the credit may only be reapplied if the consumer goes through certification process again. tWF will not seek reimbursement for any de-enrolled subscriber following the date of that subscriber's de-enrollment.

#### **De-Enrollment for Non-Usage**

As part of its de-enrollment procedures, tWF will comply with the Commission's 60 day non-usage policy. Specifically, tWF will not consider a consumer be enrolled, and tWF will not seek reimbursement for that consumer, until the consumer activates its service in the first instance.<sup>37</sup> Further, tWF will de-enroll and not seek reimbursement for any consumer whose service is inactive for a consecutive 60 day period.<sup>38</sup> tWF will define "usage" consistent with the Commission's rules. Specifically, the following activities will

---

<sup>36</sup> 47 C.F.R. § 54.405(e) (2); *see also Lifeline and Link up Reform and Modernization*, 26 FCC Red 9022, ¶ 15 (2011).

<sup>37</sup> 47 C.F.R. § 54.404(b) (10).

<sup>38</sup> *Lifeline Reform Order*, ¶ 257.

constitute “usage” of tWF’s prepaid wireless Lifeline service: (a) completion of an outbound call; (b) purchase of minutes to add to the subscriber’s service plan; (c) answer of incoming call from a party other than tWF or its agents or representatives; and, (d) response to direct contact from TWF and confirmation that the consumer seeks to continue receiving the Lifeline service.<sup>39</sup> tWF will run usage reports for each consumer to determine non-usage over a period of 60 consecutive days. Despite a consumer’s “usage” as defined herein and in the Commission’s rules, tWF will continue to comply with its public safety obligations to transmit all wireless 911 calls regardless of subscriber inactivity even if TWF is no longer providing Lifeline service to that consumer.<sup>40</sup>

When a consumer has been identified for de-enrollment for non-usage, a letter will be sent to the customer, and the customer will have 30 days to respond. tWF will allow 15 calendar days for mail delivery and handling and a 30 day notice period thereafter. tWF will run usage monitoring reports on the customers who have been noticed and de-enroll the consumer if usage is not reflected on their account by the 30<sup>th</sup> day. On the 31<sup>st</sup> day, TWF will de-enroll the customer by placing a LSR with the supporting local exchange carrier to remove the Lifeline USOC to prevent further credits and remove the credit supplied by tWF to the end user from the billing system.

#### **Service Requirements Applicable to tWF’s Support**

The Compliance Plan Public Notice requires carriers to include “certifications required under newly amended Section 54.202 of the Commission’s rules.”<sup>41</sup> tWF certifies that it will comply with the service requirements applicable to the support tWF receives.<sup>42</sup>

---

<sup>39</sup> 47 C.F.R. § 54.407(c) (2); *Lifeline Reform Order*, ¶ 261.

<sup>40</sup> *Lifeline Reform Order*, ¶ 262.

<sup>41</sup> Compliance Plan Public Notice at 3.

<sup>42</sup> 47 C.F.R. § 54.202(a) (1).